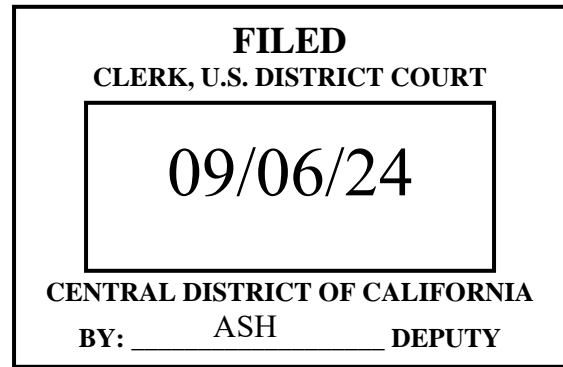


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6 *In Propria Persona*



7
8
9 **UNITED STATES DISTRICT COURT FOR**
10 **THE CENTRAL DISTRICT OF CALIFORNIA**

11 **WESTERN DIVISION**

12
13 **TODD R. G. HILL, et al,**

14
15 **Plaintiffs**

16
17 **vs.**

18 **THE BOARD OF DIRECTORS,**
19
20 **OFFICERS AND AGENTS AND**
21 **INDIVIDUALS OF THE PEOPLES**
22 **COLLEGE OF LAW, et al.,**

23
24 **Defendants.**
25
26
27
28

CIVIL ACTION NO. 2:23-cv-01298-JLS-PD

Case No.: 2:23-CV-01298-JLS-BFM

The Hon. Josephine L. Staton
Courtroom 8A, 8th Floor

Magistrate Judge Brianna Fuller Mircheff
Courtroom 780, 7th Floor

PLAINTIFF'S NOTICE OF MOTION AND
MOTION TO AMEND THIRD AMENDED
COMPLAINT

NO ORAL ARGUMENT REQUESTED

**PLAINTIFF'S NOTICE OF MOTION AND MOTION TO AMEND THIRD AMENDED
COMPLAINT**

To The Honorable Court, All Parties, and Their Attorneys of Record:

PLEASE TAKE NOTICE that Plaintiff Todd Hill, proceeding in pro per, hereby moves the Court for leave to amend the Third Amended Complaint ("TAC") pursuant to Federal Rule of Civil Procedure 15(a) to add the State Bar of California and the Board of Directors of the Peoples College of Law (PCL) as defendants in this action.

INTRODUCTION

This motion seeks leave to amend the TAC to include the State Bar of California and the Board of Directors of Peoples College of Law (PCL) as additional defendants. The amendment is warranted based on their roles and actions connected to the claims outlined in the TAC, including recent developments that underscore their involvement.

STATEMENT OF FACTS

On or about August 13, 2024, Plaintiff Todd Hill submitted a government claim against the State Bar of California via email. This claim was formally rejected on September 3, 2024, as detailed in a letter from Jennifer Ko, Assistant General Counsel and Claims Officer for the State Bar of California. The letter stated that the State Bar had not received any prior government claims from Plaintiff, despite his assertions of a December 2022 submission.

The rejection letter, combined with the ongoing issues surrounding PCL and the State Bar's regulatory actions, necessitates the addition of both the State Bar of California and the Board of

1 Directors of PCL as defendants. Their involvement in the alleged negligence, malfeasance, and
2 breaches of duty is now clearly implicated.
3

4 **LEGAL STANDARD**

5
6 Under Federal Rule of Civil Procedure 15(a), a party may amend its pleading with the court's leave,
7 which should be "freely given when justice so requires." The Ninth Circuit advocates granting leave
8 to amend with "extreme liberality," unless there is evidence of bad faith, undue delay, prejudice to the
9 opposing party, or futility of the amendment. The Rule provides that the movant can file amendments
10 freely up to 21 days from the date of filing. Plaintiff asserts no defendant has timely filed a response.
11

12 **ARGUMENT**

- 13
14 1. **No Undue Delay:** Plaintiff is moving to amend promptly following the receipt of the claim
15 rejection from the State Bar, demonstrating no undue delay. The motion is filed in a timely
16 manner given the recent development.
17
- 18 2. **No Prejudice:** The proposed amendment will not prejudice the existing defendants. The new
19 defendants are connected to the same set of facts and events already detailed in the TAC.
20
- 21 3. **Amendment Is Not Futile:** The amendment will allow Plaintiff to pursue viable claims
22 against the State Bar of California and the Board of Directors of PCL based on newly
23 acquired information and their direct involvement in the alleged misconduct.
24
- 25 4. **Timeliness and Good Faith Efforts:** The Plaintiff's motion to amend is timely and made in
26 good faith. As per Federal Rule of Civil Procedure 15(a), Plaintiff had 21 days to amend the
27 Third Amended Complaint without seeking the Court's permission. Notably, Defendant
28

1 Spiro's motion to dismiss, filed on September 4, 2024, was submitted within this period¹,
2 reflecting an untimely and potentially bad faith effort to delay the proceedings. Plaintiff's
3 recent email communication to opposing counsel and the Clerk of the Court, requesting a
4 meet and confer regarding this untimely filing and other related issues, underscores the
5 Plaintiff's commitment to addressing procedural concerns transparently and seeking resolution
6 in a manner consistent with the rules.
7

8
9 **5. No Prejudice and Judicial Efficiency:** The proposed amendment does not cause undue delay
10 or prejudice to the current defendants. The Plaintiff has acted promptly after receiving the
11 rejection of the government claim and the untimely motion to dismiss. The request to amend
12 the complaint aligns with the principles of judicial efficiency and fairness, ensuring that all
13 relevant parties are included and that claims are fully adjudicated.
14

15
16 **6. Resolution of Procedural Issues:** The Plaintiff's communication regarding the untimely
17 filing of a motion for dismissal suggests bad faith conduct by certain defendants, including the
18 avoidance of opportunities to cure procedural issues. This further supports the need for a
19 thorough examination of the claims and underscores the necessity of including the State Bar
20 of California and the Board of Directors of PCL as defendants to address all pertinent aspects
21 of the case comprehensively and the provision of leave to file this amended complaint.
22

23
24 **7. Proactively Addresses Potential Criticisms:**

- 25
26 ○ **Compliance with Government Claims Act:** Plaintiff acknowledges that a
27 government claim was submitted and rejected as of September 3, 2024. This motion is
28

¹ Plaintiff and Mr. Spiro met pursuant to L.R. 7-3 on August 30, 2024. Mr. Spiro's filing of his motion on September 4, 2024 occurred within 5 days of the meeting which also appears to violate the 7 days required between meeting and filing.

1 timely as it follows the formal rejection and addresses the issues related to
2 compliance.

- 3
- 4 ○ **No Undue Delay in Allegations:** The amendment directly correlates to the rejection
5 notice and the need to include the additional parties who have played a significant role
6 in the alleged actions.
- 7
- 8 ○ **Factual Specificity:** The TAC is amended to provide greater detail regarding the
9 specific actions of the new defendants and their involvement in the racketeering and
10 other violations.
11

12 **CONCLUSION**

13

14 For the reasons stated above, Plaintiff Todd Hill respectfully requests that the Court grant leave to
15 amend the Third Amended Complaint to include the State Bar of California and the Board of
16 Directors of Peoples College of Law as defendants in this action as well as any additional relief the
17 Court deems just and appropriate.
18

19 Dated: September 6, 2024

20 Respectfully submitted,

21
22
23 

24
25 Todd Hill

26 Plaintiff, In Pro Per
27
28